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Prosecutors tell Miss. jurors that reputed Klansman held gun on black victims in 1964

JACKSON, Miss. (AP) — Prosecutors in the kidnapping and conspiracy trial of James Ford Seale promised jurors during opening arguments Monday that they will prove the reputed Klansman was among those who abducted, beat and drowned two black teenagers in 1964.

Defense attorneys set out to divorce Seale's reputation from the facts of the charges and said the government's case will be based largely on a member of the Ku Klux Klan who has changed his story in the 43 years since Henry Hezekiah Dee and Charles Eddie Moore were dumped in the Mississippi River to die.

Seale, now 71, has pleaded not guilty to federal kidnapping and conspiracy charges in the attacks on Dee and Moore, both 19. He also has denied being involved in the Klan.

"Being a member of the Klan, as detestable and abominable as it may be, was not a crime then and is not a crime now," public defender George Lucas told the jury of eight whites and four blacks. "You must remember my client is not on trial for being a racist. He's not on trial for murder."

About 60 spectators, including family members of Seale and the victims, watched the opening arguments in the latest of several cold cases from the civil rights era that have been revived across the South in the past 13 years. Among the three whites chosen as alternate jurors, one is a woman who said her father had been a member of the KKK.

Prosecutor Paige Fitzgerald showed black and white pictures of the victims, both 19 at the time of their deaths, to the jury on a computer screen as she made her presentation.

She told jurors that Seale held a shotgun on the teens while they were beaten. Seale and others took Dee and Moore to Seale's father's farm, where Seale and another Klansman bound the victims with duct tape, put them in a plastic-lined trunk and drove them across the state line into Louisiana, Fitzgerald said. Moore and Dee were then tossed into the Mississippi River to die.

Seale and reputed Klansman Charles Marcus Edwards were arrested in 1964. But the FBI was consumed by the "Mississippi Burning" investigation of three civil rights workers, and the Dee-Moore case was turned over to local authorities, who threw out all charges against Seale and Edwards.

Edwards, Seale's cousin, has been given immunity and is expected to provide key testimony for the prosecution.

The charges of kidnapping and conspiracy against Seale hinge on the prosecution proving the victims were taken across the state line before being killed, Lucas said.

"It's a terrible chapter in the history of this state and this country," Lucas said. "It is something that I wish for the family could be resolved. There's no resolution in ignoring our laws. You cannot set aside the laws to help the families feel better."

Prosecutors say another of the witnesses they want to call is a former daughter-in-law of Seale, who will testify that she saw a Klan robe at his home and that, at family gatherings, Seale would show movies of rallies he attended.

Defense attorneys told U.S. District Judge Henry T. Wingate that they want to limit the testimony of the former daughter-in-law. Wingate said he will rule on that request later.

The Justice Department reopened an investigation in 2000. The FBI closed the case again in 2003 but reopened it in 2005.

The trial is expected to last about two weeks.

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